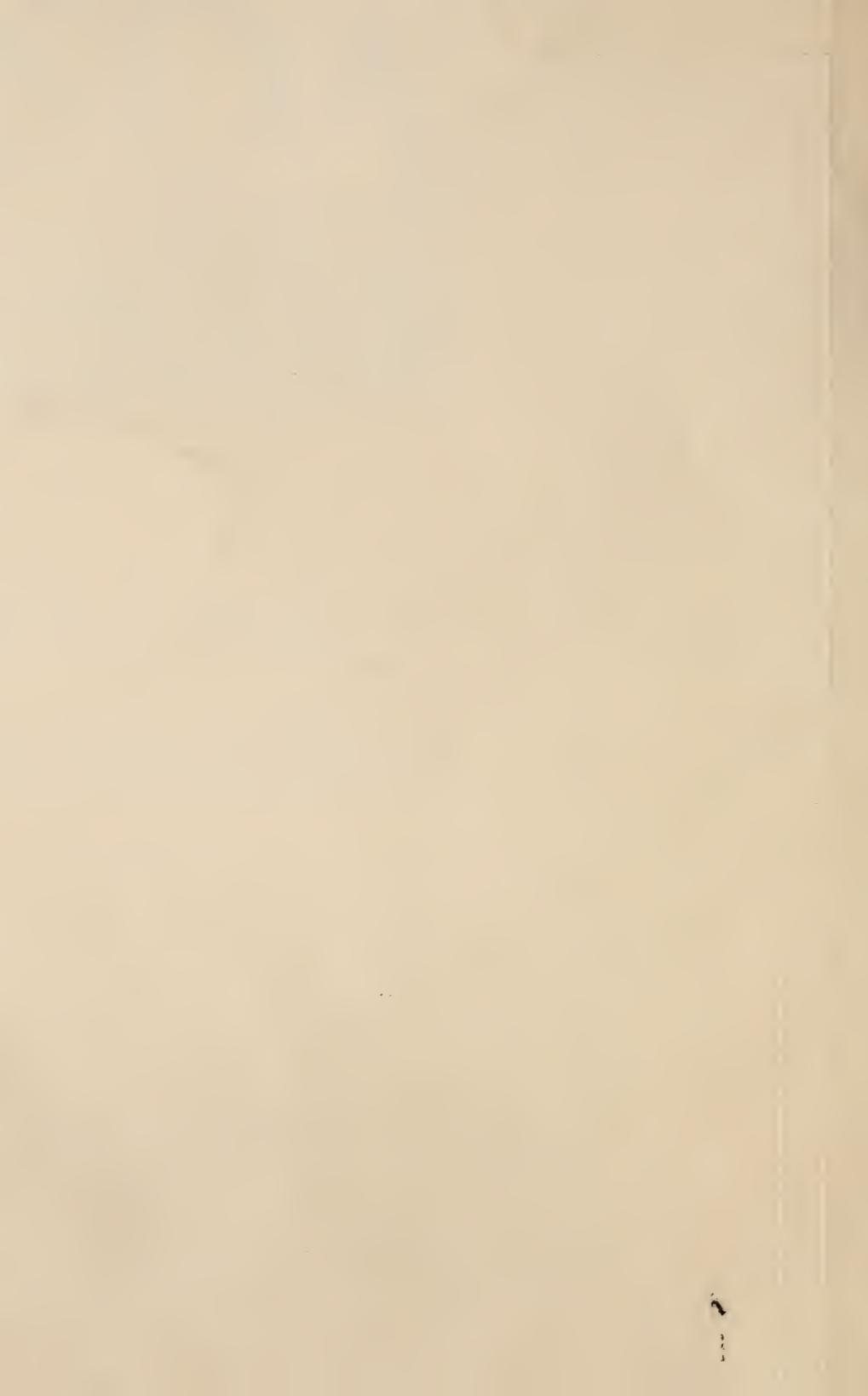


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August 1959

A Guide

FOR THE ENFORCEMENT OF REGULATIONS GOVERNING THE INTERSTATE MOVEMENT OF LIVESTOCK AND POULTRY

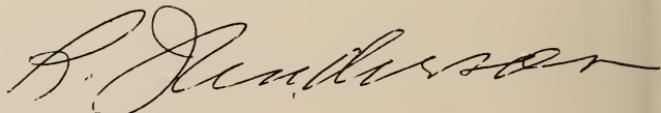


Agricultural Research Service
U. S. DEPARTMENT OF AGRICULTURE

FOREWORD

This publication is an outline of uniform procedure to be used in reporting apparent violations of the Animal Quarantine Laws involving interstate movements of livestock and poultry as described in Subchapter C, Parts 71 through 83 of Title 9, Code of Federal Regulations, and of the 28-Hour Law.

The information presented in this pamphlet is to be used as a guide in reporting alleged violations of the interstate regulations and laws.

A handwritten signature in cursive ink, appearing to read "R. J. Anderson".

R. J. Anderson, Director
Animal Disease Eradication
Division

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A GUIDE FOR THE ENFORCEMENT OF REGULATIONS
GOVERNING THE INTERSTATE MOVEMENT OF
LIVESTOCK AND POULTRY

The Animal Disease Eradication Division, Agricultural Research Service, is charged with the responsibility for the interstate movement of animals and poultry as described in Subchapter C of parts 71 through 83 of Title 9, Code of Federal Regulations, and the enforcement of the 28-Hour Law (Humane Act), enacted by Congress on June 29, 1906.

28-HOUR LAW

Following is an outline of uniform procedure to be used as a guide in reporting apparent violations of the 28-Hour Law:

General Information:

- Form ADE 3-578 should be submitted to the Washington office in triplicate -- except for those violations showing an overconfinement of 30 minutes or less, for which an original only is sufficient.
- One or more of the waybills and completed Form ADE 3-59C, covering the shipment mentioned, must be attached to each copy of the report.
- Photostat copies of waybills should not be requested from the carriers unless the original contains an important entry that cannot be satisfactorily copied.
- The original and copies of all letters from carriers or others containing statements regarding the handling of a shipment should be attached to the report.
- Where there are additional facts to report, they should be furnished in a separate statement and should not be included on Form ADE 3-578.

- Copies of correspondence pertaining to routine information need not be forwarded to the Washington office.
- All shipments arriving in the same train and unloaded at the same place, after the expiration of the statutory period of confinement, are to be included in one report (Form ADE 3-578).
- Where cars are unloaded at different times, this should be included in Item 2, Form ADE 3-578.
- Under Item 6, Form ADE 3-578, arrange the waybills for each group of cars in numerical order -- then list the cars in groups according to the time and place last loaded before the overconfinement occurred. If there is not sufficient space on the face of the report to list all of the cars, use a separate sheet of paper, beginning the list at least two inches from the top of the sheet.
- All time should be shown in standard time (not daylight) and the time zone should be included.

Reporting overconfinements occurring into points where reporting livestock inspectors are located.

- The data called for under all items on Form ADE 3-578 should be furnished.
- The times of interchange in all cases where cars are moved to the place of unloading by switching roads is essential.
- Where a delay is known to have occurred in the movement of cars from the point of arrival to the place of unloading, a report on the cause should be made -- if information can be obtained through local inquiry.
- Cars known to have arrived in different road trains and moved to the place of unloading together and unloaded at the same time may be reported on the same Form (ADE 3-578) -- if the trains arrived before an overconfinement occurred.
- If the time expired on any shipment before the trains arrived, the overconfinements should be reported separately.
- In all cases the train number should be shown under Item 3, Form ADE 3-578, following the time of arrival.

Reporting overconfinements occurring into a point other than that at which the inspector is located.

- All overconfinements covering cars which arrive on the same train and are unloaded at the same place are to be listed on the same form.
- Information called for under Items 3, 4, and 5 may be omitted, as it usually cannot be obtained except through correspondence and is not considered of sufficient importance to warrant delaying reports awaiting replies to inquiries.
- Ordinarily, the loading and unloading record on the waybill is the evidence on which these reports are based, and it is sufficient for this office to proceed with its inquiry. If there is no reason to question the accuracy of these records, they need not be verified.

Reporting overconfinements at points where the ADE Veterinarian in Charge is located in some other State.

- When an apparent violation that occurred in another State comes to the attention of a livestock inspector, copies of the waybills should be forwarded to the Veterinarian in Charge of that station. He will have the apparent violation investigated and a report forwarded to the Washington office, providing this has not already been accomplished.
- The checking of waybills and local records should be made as frequently as appears necessary and reports of overconfinements submitted promptly.

Reporting apparent violations involving insufficient space in cars for the animals transported therein.

The 28-Hour Law provides, in effect, that animals carried in cars in which they have sufficient space and opportunity to rest need not be unloaded; however, the law does not define the amount of space needed for the various species of animals. In determining this question, the Department has been guided by a provision in the regulations (Part 91.10 (b) CFR) governing the inspection, humane handling, and safe transport of export animals, which for cattle is as follows:

"Cattle over 850 pounds in weight shall each be allowed a space of 2 feet 6 inches in width by 8 feet in depth***" (20

sq. ft.). "Cattle of 850 pounds weight or less shall each be allowed a space of at least 2 feet in width by 8 feet in depth***."

There are a number of court cases which deal with this matter. As an example, the court in one case ruled as follows:

"The evidence is uncontradicted that cattle under transportation ought to have at least 2-1/2 feet of space for each animal. That is the space required by the United States statute relating to shipment of cattle at sea, and obviously it seems a small enough space."

In another case it was held that "***where cars are not unloaded all the animals contained therein must have sufficient space for lying down at the same time. The probabilities are they will not all lie down at the same time, but, nevertheless, opportunity must be given them to do so."

Another court ruling was as follows:

"The requirements of the statute providing for giving opportunity to rest are not unreasonable, and fair construction requires that the space allowed each animal shall be such as to permit him to lie down ad libitum."

- When an apparent violation in the interstate shipment of animals in cars where insufficient space has been provided comes to the attention of the livestock inspector, it is his responsibility to investigate thoroughly and report the circumstances to the Washington office. The report should be in letter form and should include the following:
 1. Number of animals in the shipment.
 2. Average weight of the animals.
 3. Size of the car in which the animals were transported.
 4. A statement as to whether the shipment was accompanied by an attendant; if so, his name and address should be indicated.
 5. The amount of space occupied by the attendant and his equipment (Water barrels, hay, etc.).
 6. A statement as to the condition of the animals when observed by the inspector.

- In addition to the letter report, it is desired that three copies of the waybill covering the shipment be furnished.
- An original and three copies of an affidavit should be submitted by the inspector who observed the apparent violation, covering his findings in detail.
- An affidavit should also be submitted from the attendant, if he is available and will sign one, relating the circumstances surrounding the shipment.
- An affidavit from another person who observed this shipment, corroborating the facts given by the inspector in his affidavit, would also be of value in prosecuting such a violation.

It is our desire to call to the attention of Veterinarians in Charge of field stations the need for periodically checking railroad feed, water and rest stations in each State for compliance with the provisions of the 28-Hour Law. Visits should be made at least once every six months, and more often if conditions warrant it. The following procedure is suggested to carry out this inspection:

1. Facilities should be checked for compliance as being properly equipped pens.
 - (a) Report should be rendered on Form ADE 3-59D. On the back of this form are listed points to be checked.
 - (b) Unsatisfactory conditions should be called to the attention of the responsible railroad official and prompt correction requested.
2. Railroad book records (and waybills if available) should be examined and checked for violations.
 - (a) If information is not available so that it can be readily checked, the responsible railroad official should be requested to set up a system of records that can be checked.
 - (b) All overtime confinements should be reported on Form ADE 3-578 in the prescribed manner.

3. Periodic visits should be timed, when possible, so that the inspector will arrive at the railroad yards at or about the time a livestock train is due to arrive, and thereby be able to observe the following conditions:

- (a) Are the bales of hay broken open so that the animals may readily consume it?
 - (b) Are watering troughs kept filled with water?
 - (c) Is feed of good quality and required quantity?
 - (d) If hogs are watered in cars, are watering troughs available and used?
 - (e) If hogs are fed in cars, is feed evenly distributed through the car?
4. Are dairy, stocker, and feeder animals handled in pens that are kept in good sanitary condition?

Feed, water and rest stations in the immediate vicinity of public stockyards stations that are not operated under the Veterinarian in Charge of field activities, such as Chicago, Omaha, and Kansas City, should continue to be checked as heretofore by inspectors from the stockyards force.

The outline indicated above should be used as a guide in checking stations for compliance with the provisions of the 28-Hour Law.

For your information, a copy of the Statement of Policy as issued by the Secretary of Agriculture, September 23, 1949, and sample copies of Forms ADE 3-578, ADE 3-59C and ADE 3-59D follow.

(Copy)

UNITED STATES DEPARTMENT OF AGRICULTURE
Office of the Secretary

FEEDING, WATERING, AND RESTING LIVESTOCK IN COURSE
OF INTERSTATE TRANSPORTATION

Statement of Policy

It is the view of the Department of Agriculture that the feeding, watering, and resting of livestock in the course of transportation by railroad, from one State, Territory, or the District of Columbia into or through another, in accordance with the recommendations set out herein will meet the requirements of the Twenty-Eight Hour Law (34 Stat. 607; 45 U.S.C. 71-74).

1. Amount of feed. (a) Under normal conditions, the amounts of feed designated in the following schedule will be considered as sustaining rations for livestock in transit when fed at the intervals required by the Twenty-Eight Hour Law:

Species and Quantity of Livestock	At First Feeding Station	At Second and Subsequent Feeding Stations
Cattle and Beef Type or Range Calves (For each car)	200 Lbs. of Hay*	300 Lbs. of Hay*
Dairy Calves (For each car deck)	100 Lbs. of Hay*	150 Lbs. of Hay*
Horses and Mules (For each car)	400 Lbs. of Hay*	400 Lbs. of Hay*
Sheep and Goats (For each car deck)	200 Lbs. of Hay*	300 Lbs. of Hay*
Lambs and Kids (For each car deck)	100 Lbs. of Hay*	150 Lbs. of Hay*
Swine (For each carload lot, in single or double deck car, the amount of shelled corn* indicated)		
Lots of not more than 18,000 lbs.	2 Bushels	2 Bushels
More than 18,000 lbs. but not more than 21,000 lbs.	2½ Bushels	2½ Bushels
More than 21,000 lbs. but not more than 24,000 lbs.	3 Bushels	3 Bushels
More than 24,000 lbs. but not more than 27,000 lbs.	3½ Bushels	3½ Bushels
More than 27,000 lbs. but not more than 30,000 lbs.	4 Bushels	4 Bushels
More than 30,000 lbs. - Proportionately larger amounts		

* Or the equivalent in other suitable feed. Dairy calves too young to eat hay or grain, or shipped without their dams, should be given a sufficient amount of prepared calf feed, milk, raw eggs, or other suitable feed. All feed should be of good quality.

(b) When the owner of a consignment of livestock desires that they be fed larger amounts of feed than those designated in paragraph 1(a) for the particular kind and quantity of livestock, or the carrier believes that they should be fed larger amounts, the amounts to be fed should be agreed upon, if practicable, by the owner and the carrier at the time the animals are offered for shipment.

(c) When emergency conditions arise, such as severe changes in the weather, which increase the rigors of transportation, the livestock should receive amounts of feed, additional to those designated in paragraph 1(a), sufficient to sustain them until they arrive at the next feeding station or destination.

(d) When the movement of livestock is delayed en route so that the period of their confinement in the cars materially exceeds that limited by the Twenty-Eight Hour Law, the livestock should receive additional feed in proportion to such excess time.

2. Two or more feedings at same station. When livestock are held at a feeding station 12 hours after the last previous feed has been substantially consumed, they should again be fed the ration prescribed by paragraph 1(a) for that station: Provided, however, That they may be held without such feeding for a period longer than 12 hours if the time they are so held, added to the time required to reach the next feeding station or destination, whichever is closer, would not ordinarily exceed 40 hours.

3. Feeding, watering, and resting livestock in the car. (a) Livestock should be unloaded into pens of the character described in paragraph 5(a) hereof, for feeding, watering, and resting, unless there is ample room in the car for all of the animals to lie down at the same time.

(b) If livestock are watered in the car, adequate facilities should be provided and ample water furnished to insure all the animals an opportunity to drink their fill. In the case of hogs, water should be available for not less than one hour.

(c) Livestock unloaded for feed and water and returned to the car for rest should be allowed to remain in the pens not less than two hours.

(d) Livestock unloaded for water and returned to the car for feed and rest should be allowed to remain in the pens not less than one hour.

(e) When livestock are fed in the car, the feed should be evenly distributed throughout the car.

4. Watering. Livestock should be furnished an ample supply of potable water. Water treated with chemicals for industrial or boiler use, or taken from streams or ponds containing sewage, mud, or other objectionable matter should not be used. Troughs and other receptacles should be clean. In cold weather, the water should be free from ice.

5. Feeding pens. (a) Stock pens and other enclosures used for feeding, watering, and resting livestock in transit should have (1) sufficient space for all of the livestock to lie down at the same time, (2) properly designed facilities for feeding and watering the livestock, (3) reasonably well drained, clean, and safe floors of concrete, cinders, gravel, hard-packed earth, or other suitable material, and (4) suitable protection from weather reasonably to be expected in the region in which the pens are located.

(b) Care should be taken to protect livestock unloaded en route at a point having marked difference in temperature from that at the point from which they were shipped.

The policy herein declared shall become effective on November 22, 1949, and, on that date shall supersede the policy stated in the circular letter of this Department dated April 23, 1919, regarding the same subject.

Done at Washington, D. C., this 23d day of September, 1949. Witness my hand and the seal of the United States Department of Agriculture.

(Signed) A. J. LOVELAND
Acting Secretary of Agriculture

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH SERVICE
ANIMAL DISEASE ERADICATION BRANCH

No. _____

VIOLATION OF 28-HOUR LAW

(Date) _____

(Station) _____

Report of alleged violation(s) of the twenty-eight-hour law--

1. By the _____ (Name of violator)
 In the overconfinement of _____ unloaded¹ at--
 (species) _____
2. Place _____ Date _____ Time unloading commenced² _____
 (Show only one place, date, and time in each report. Give time zone)
3. Road train arrived³ _____ (Rail Yard, Date, Time and Train Number)
4. Placed for unloading³ _____ Unloaded at³ _____
 (Date and time) (Name of Yard or Plant)
5. If cars were placed at unloading dock by a switching road, give name of road and place, date, and time it received the cars from the road-haul carrier:
- _____ (Name) _____ (Place) _____ (Date) _____ (Time)
6. The following cars were unloaded at the place and time shown in item 2:

Car No.	Place Last Loaded	Date and Time Last Loaded	Period of Confinement
			Hrs. Min.

¹ If animals are fed and watered in the car, change this statement accordingly. Subsequent reference to unloading will be understood to mean feeding and watering in car.

² A group of cars placed for unloading at the same time are considered to have been unloaded at the time unloading of the first car was commenced, if the unloading of the group was continuous and not unduly prolonged.

³ Omit if animals unloaded at point other than that at which inspector is located.

(Signed) _____

(Inspector in Charge)

U. S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH SERVICE
ANIMAL DISEASE ERADICATION BRANCH

(Name of carrier issuing waybill)

LIVESTOCK FREIGHT WAYBILL

STOP THIS CAR AT		FOR	WEIGHT IN TONS		DATE		WAYBILL NO.					
			GROSS	NET								
CAR INITIALS AND NUMBER			TRANSFERRED TO		FROM		(STATION) (STATE)					
		AT										
TO (STATION)		(STATE)										
NO. ()				NO. ()		FULL NAME OF SHIPPER (ORIGIN AND DATE, ORIGINAL CAR, TRANSFER FREIGHT BILL, AND PREVIOUS WAYBILL REFERENCE WHEN REBILLED)						
ROUTE (SHOW EACH JUNCTION AND CARRIER IN ROUTE ORDER TO DESTINATION OR WAYBILL. INDICATE BY CHECK MARK WHETHER SHIPPER'S OR AGENT'S ROUTING)				SHIPPER'S ROUTING								
				AGENT'S ROUTING								
CONSIGNEE, ADDRESS (FINAL DESTINATION AND ADDITIONAL ROUTING)												
CAR ORDERED (TO BE FILLED IN WHEN DIFFERENT CAR IS FURNISHED)												
TIME LOADED		M. DATE	LENGTH OF CAR		KIND	HEIGHT		WEIGHED				
WAS AN ATTENDANT IN CHARGE? (YES OR NO)			ORDERED	FURNISHED	ORDERED	FURNISHED	ORDERED	FURNISHED				
WAS CAR BEDDED BY CARRIER? (YES OR NO)												
HAS 36-HOUR REQUEST BEEN SIGNED AND FILED AT POINT OF ORIGIN? (YES OR NO)			INDICATE BY SYMBOL IN COLUMN PROVIDED * HOW WEIGHTS WERE OBTAINED									
GOVERNMENT CERTIFICATE NO.		ATTACHED	R-Balanced scale		A1							
1ST TRANSFER		2D TRANSFER	A-Weighing bureau or agreement		Gross							
3D TRANSFER		4TH TRANSFER	T-Tare, classification, or minimum		Tare							
			S-Shipper's agreement or legal weight		Allowance							
			E-Estimated (weight not correct)		Net							
NUMBER OF HEAD AND DESCRIPTION OF STOCK		WEIGHT		*	RATE	FREIGHT		ADVANCES	PREPAID			
DESTINATION AGENT'S FREIGHT BILL NO.												
FEEDING AND REST RECORD												
PLACE	PEN NO.	UNLOADING RECORD		RELOADING RECORD		DEAD AND CARRIED AWAY	FEED	PRICE CWT. OR BU.	ADDITIONAL CHARGES			
		DATE	TIME	COUNT	DATE	TIME	COUNT	AMOUNT	KIND	AMOUNT	WAYBILL NO.	DATE
TOTAL (FOR DESTINATION AGENT'S USE ONLY)												

ALL YARD STAMPS MUST BE PLACED ON BACK OF WAYBILL IN SPACES PROVIDED

JUNCTION FORWARDING AGENTS MUST SHOW JUNCTION STAMPS IN CONSECUTIVE ORDER BELOW

DESTINATION AGENT WILL STAMP
HEREIN THE DATE REPORTED

1ST JUNCTION 2D JUNCTION 3D JUNCTION 4TH JUNCTION

ADDITIONAL JUNCTION AGENT'S STAMPS MUST BE SHOWN ON BACK OF WAYBILL IN SPACES PROVIDED

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH SERVICE
ANIMAL DISEASE ERADICATION BRANCH

REPORT OF INSPECTION OF FEED, WATER AND REST PENS

At _____

Date Inspected _____

1. Used by _____

2. Owner _____ Operator _____

3. Location _____

4. Number and Size of Pens _____

5. Docks and Chutes _____

6. Shelter _____

7. Racks (Type and length) _____

8. Feed _____

9. Troughs _____

10. Water (Source) _____ (Quality) _____
(Plumbing)

11. Floors _____

12. Drainage _____

13. Sanitation _____

14. Lights _____

15. Equipment for F&W hogs in cars _____

16. Number of cars handled during past year:
Cattle Hogs Sheep Horses and Mules

Are Facilities Satisfactory _____ Unsatisfactory _____

If additional space needed to fully report
any item, use separate sheet. Signed _____

INSTRUCTIONS FOR THE INSPECTION OF PENS AND THE PREPARATION OF REPORTS

The 23-hour law provides that livestock shall be unloaded into "properly equipped pens." The Branch is without authority to set up standards for pens, but believes that a carload of animals requires the minimum space and equipment set forth in the following specifications:

Approximately 1200 sq. ft. of floor area, or enough space for all of the animals to lie down at the same time. Reasonably smooth, dry and clean floors of a suitable material, including hard packed earth. (Concrete is recommended for feeding hogs.) Suitable protection from the weather to be expected in the region in which the pens are located. Water troughs not less than 15 feet in length for each carload, suitable for both large and small animals, of any suitable material, and provided with drains to a point outside the pens and preferably with overflow plugs. Feed racks to accommodate both large and small animals and not less than 40 feet in length for each carload, slats to be spaced about 4 inches to permit access to feed without wastage.

In preparing reports give the information called for under the items mentioned below.

Item 1. List all railroads using the pens or to which they are available. If the pens are used to hold animals other than those in through shipments, so advise. If more than one railroad uses the pens, advise whether all have trackage rights to the unloading dock. If stock brought in by one road must be handled to the pens by another road, give the location of the point at which interchange is made and the distance therefrom to the pens.

Item 3. Give the location of the pens with relation to the rail yards of the carrier and the distance between the pens and the point where cars are removed from road train.

Items 4, 5, 6, 7, and 9. Describe the type of these facilities and the present state of repair. Under item 6, state whether there is sufficient protection, if any. Under items 7 and 9, advise if suitable for both large and small animals, and under item 9, if troughs are cleaned regularly and whether proper drainage is provided.

Item 8. Describe the kind and quality of feed used, the approximate quantity kept on hand, the place and manner in which it is housed, and whether it is evenly distributed in the pens.

Item 10. State whether the water is clear and free from chemicals or other objectionable matter. Describe the plumbing and state whether equipped with frost-proof valves, where needed, which are protected with locks to prevent tampering.

Item 11. Advise the material from which constructed and the nature of the underlying foundation. State whether the floors are muddy or dusty, or appear likely to become so in weather conducive to such conditions. Note particularly whether there are low places, especially around water troughs.

Item 12. Describe provisions for drainage, including method of disposing of rain water from sheds. Note condition of gutters on sheds.

Item 13. State whether pens are free from manure at time of inspection and method of disposal. Advise how often it is customary to clean the pens. Note if hosing equipment is available and used to clean concrete floors.

Item 14. Give the number, type and location of all lights.

Item 15. Describe this equipment fully, including construction, and method of filling troughs, and facilities for getting feed and trough into upper decks. Advise number of troughs usually placed in each car, also number of cars handled during past year. If possible, observe watering of hogs in car and determine whether all receive water. Any instance of failure to properly feed, water or rest livestock in cars or pens should be reported to the Branch as a violation of the law.

Item 16. In checking the number of cars handled, observe the condition of the records and the information they contain. The Branch cannot require the keeping of a particular form of record, but they should show, in addition to the identity of the shipment, the time last loaded, the time of arrival at feeding station and the time unloaded. Where this information is available, all long periods between loading and unloading during the past year should be checked to determine whether the time exceeded 36 hours. Any confinement beyond 36 hours should be reported to the Branch, giving all information obtainable from the record or otherwise.

INTERSTATE REGULATIONS: BRUCELLOSIS

Following is procedure for reporting apparent violations of the brucellosis regulations. (Part 78, Title 9, Code of Federal Regulations.)

- Apparent violations should be reported on Form ADE 3-59E or Form ADE 3-59H, depending on the violation being reported.
- Each report of violation should be given a station number. This number and/or the number assigned by the Washington Office, should be used in all correspondence concerning the report.
- To establish the specific violation alleged, sufficient affidavits (Form ADE 3-59G), and documents should be submitted with the form summarizing the violation.
- The specific violation involved should be stated in Item 1 of Forms ADE 3-59E and ADE 3-59H, such as interstate shipment of unbranded brucellosis reactors--shipment of cattle without the required certificate, rather than indicating the sections and the paragraphs of the regulations.
- The word "health" should be omitted when referring to a certificate required by the regulations since they do not specify a "health" certificate.
- Forms ADE 3-59E or ADE 3-59H with supporting affidavits and documents should be separated into sets of four before forwarding to the Washington Office. The originals of Forms ADE 3-59E or ADE 3-59H, with the original affidavits and documents, should be stapled together in one set, and the three remaining sets assembled in a like manner.
- The date in Item 15 of Form ADE 3-59H refers to previous violations by a person named as violater in the report. Where previous violations have not been reported to the Washington Office, a statement should be made in a separate letter explaining if the violator was warned.

- Care should be exercised in seeing that correct names are used, and that they are spelled the same throughout the report. If nicknames are used, the proper names of the person should also be given. When the violation alleged is failure to have the truck cleaned and disinfected at destination, a statement should be included in the affidavits from the shipper and/or trucker as to why a certificate was not obtained and why the truck was not cleaned and disinfected. Even where a violator gives a affidavit or written statement admitting the offense, it is necessary to have evidence corroborating the admission.

Where a company is involved as a violator, it should be established whether it is a corporation or a partnership. If a corporation, the State in which it is incorporated should be indicated, and if a partnership, the names and addresses of the partners should be listed.

If it becomes necessary to stop and search vehicles in connection with an investigation of an apparent violation, it is suggested that the livestock inspector request the cooperation of the State livestock sanitary officials and of the State or local law enforcement officers. Department employees do not have authority to seize or destroy any of the animals involved.

If the investigator is unable to obtain an affidavit from persons having knowledge of the facts, they may be willing to give written statements, which also should be submitted in an original and three copies. In the absence of an affidavit or written statement, the investigator should furnish in his report a résumé of any oral statements made by such persons.

The investigator should make a report of any information he may have that is not brought out in the sworn statements obtained, but any recommendation on the action to be taken, or comments on local conditions not having a direct bearing on the matter under investigation, should be submitted in a separate communication.

When affidavits are being taken, the affiant should be informed of his constitutional rights, in that he cannot be forced into giving a statement against his will, and that any statement he does give may be used against him in a court of law; that he may retain a lawyer if he so desires.

- An original and three copies of the affidavit should be submitted to the Washington Office. It is sometimes difficult to prepare an original and three copies in the course of an investigation, therefore, it is suggested that the copies be prepared at a more convenient time. Only the original need be signed. Signatures of the affiant and of the person executing the jurat should be typed or printed on these copies, together with the date and place of signing. If the affidavit consists of more than one page, the first page should be initialed by the affiant.
- All facts should be given accurately, and where they appear in more than one place, they should be checked to see that they are in agreement. (Any discrepancies or conflicts in statements secured should be explained in a letter of transmittal, giving the opinion of the investigator as to which are the true facts.)
- Hearsay evidence should not be submitted in affidavit form -- only facts that can be substantiated. (Hearsay evidence may, however, be included in a letter with the report for possible interest in evaluating the case.)

Following is a sample affidavit, which may be used as a guide, in reporting alleged violations of the brucellosis regulations in the interstate movement of non-reactor cattle. Important points brought out in the affidavit are:

1. How the affiant knew that no certificate accompanied the shipment.
2. How he knew that this shipment went to the Ringling, Oklahoma, sale.
3. The reason for the discrepancy between the number of cattle loaded and the number shown on the sales slip.
4. How he knew the animals were not tested or vaccinated.
5. How the affiant knew the cattle came from Texas. (In this case he saw them cross the State line.)
6. How he knew they were purchased by Mr. Blank at the Central, Texas, sale.

7. The approximate age of the cow.
8. The heifers were not spayed.
9. The cattle were not going to an approved auction market.

ADE 3-59 G
(12-54)

Before me, _____ an employee of the United States Department of Agriculture designated by the Secretary of Agriculture under authority of section 1 of the Act of Congress approved January 31, 1925, (43 Stat. 803; 5 U.S.C. 521) personally appeared _____ who deposes and says:

I am now, and was at all times hereinafter mentioned, a veterinarian employee by the Animal Disease Eradication Division, Agricultural Research Service, United States Department of Agriculture, and among my duties is checking the highways of Oklahoma in cooperation with the State for trucks transporting cattle not meeting the requirements for legal interstate shipment.

I aver that at 7:40 A.M., Friday, May 10, I inspected a truck-load of cattle which I had observed cross the State line from Texas into Oklahoma on U. S. Highway 77, near Marietta, Oklahoma. This truck was loaded with 57 head of cattle. Included in the load were one roan cow, approximately 10 years old, three yearling heifers which showed no evidence of having been spayed, and 53 steers. This truck had Texas license #8V 9196, owned by _____, c/o General Delivery, Carthage, Texas, so I was told by the driver of the truck, a man named _____, who gave his address as Route 3, Carthage, Texas. He was accompanied by another man, _____, who gave his address as 324 North Live Oak, Carthage, Texas.

I aver that I asked the driver of the truck where the cattle were coming from and going to and he stated that they had been purchased the previous day by _____, Ringling, Oklahoma, at the livestock auction at Central, Texas. He also showed me a bill of sale from the Livestock Auction Sale at Central, Texas, to _____. He further stated he was instructed by Mr. _____ and Mr. _____ to haul the cattle to the Ringling, Oklahoma, sale. I asked the driver of the truck if he had a waybill, owner's certificate or other type of certificate accompanying the cattle, and he had no such document whatsoever.

I aver that I examined the heifers, which were approximately one year old, and they bore no identification of being official vaccines. The following day I visited the sale at Ringling and checked the sales slip on 51 of these cattle. Some of these animals were not offered for sale and some were "passed out" -- ownership being retained by Mr. _____. The sale management confirmed the fact that the man unloaded these cattle the previous day and that they were from Texas.

The Ringling Auction Sale is not an approved market.

Subscribed and sworn to before me at _____ on this _____ day of _____ 19_____.

Signature of Affiant

Employee of the Department of Agriculture
Designated Under Act of January 31, 1925

In addition to this type of affidavit, when submitting reports of alleged violations of these regulations, it would be desirable to forward affidavits from the shipper and the owner and/or driver of the truck, relating the circumstances surrounding the interstate movement of the animals, and stating why a proper certificate did not accompany the shipment, when this is the case.

MOVEMENT OF REACTOR ANIMALS IN VIOLATION OF DEPARTMENT REGULATIONS

1. Specific Violation*	12. ADE 1-27 or other Certificate No.
2. Owner of Animal When Tested (If known)	13. Place Unloaded Date Time
3. Who Delivered Animals for Interstate Movement? (If known)	14. Yards Receiving Ticket Number
4. Shipper (If known)	15. Animals Consigned to
5. Who Transported Animals Interstate? Address	16. Were animals for immediate slaughter to a Federal slaughterhouse establishment or to a Federally inspected yard for sale to such an establishment?
6. Truck License or Railroad Car Number Address of Trucker Date Shipped From	17. Were reactors partitioned off from other animals? If not, were all animals in the vehicle slaughtered?
8. Number of Animals in Shipment	18. Date Reactor Slaughtered Place
9. Number of Reactors in Shipment	19. Was waybill marked to indicate that reactors were in shipment and that vehicle must be cleaned and dis- infected at destination?
10. Reactor Tag Numbers	20. Was vehicle properly cleaned and disinfected at destination?
11. Were Animals Branded?	
21. Remarks	

*Such as animal not tagged or branded, not
accompanied by a certificate, etc.

Veterinarian in Charge

Original and 4 copies to ADE, Washington
Copy for Field Station

STATION

Before me, _____, an employee of the United States Department of Agriculture designated by the Secretary of Agriculture under authority of section 1 of the Act of Congress approved January 31, 1925, (43 Stat. 803; 5 U.S.C. 521) personally appeared _____
_____, who deposes and says:

S A M P L E

Signature of Affiant

Subscribed and sworn to before me at _____
on this _____ day of _____ 19 ____.

Employee of the Department of Agriculture
designated under Act of January 31, 1925.

MOVEMENT OF CATTLE (OTHER THAN REACTORS) IN VIOLATION
OF DEPARTMENT BRUCELLOSIS REGULATIONS *

1. Specific violation.	9. Number of Animals in Movement
2. Shipper. Address	10. Identification of each animal (tag number, tattoo, registration number, or other identification).
3. Who transported animals interstate? Address	11. Purpose of movement (Check appropriate item). (a) For immediate slaughter (b) To a public stockyard (c) Into a non-modified certified brucellosis free area (d) Into a modified certified brucellosis free area
4. Truck license or railroad car number.	12. If for slaughter, were animals taken to a Federally inspected plant or one specifically approved? Were the animals accompanied by a waybill or owner's certificate?
5. Date shipped. From	13. If to a public stockyard or to a specifically approved stockyard, were the animals accompanied by a waybill or owner's certificate? Were animals in compliance with regulations when moved from stockyards?
6. Animals consigned to - Address	14. If movement was into a modified brucellosis-free area or a non-modified brucellosis-free area, were they accompanied by a proper certificate? • * Class of animals _____
7. Place unloaded. Date Time	15. Has shipper or trucker been involved in other violations? If so, state nature of violation.
8. Were animals steers, spayed heifers, or calves under eight months of age?	Date of such violation _____

* Specify one of the six classes listed under section 78.12(d) or the seven under 78.12(e).

REMARKS:

* Violations in movement of reactor animals should be reported on Form ADE 3-59 E.

(SIGNATURE OF INSPECTOR)

Original and 4 copies to ADE Division, Washington, D. C.
Copy for Field station.

(STATION)

INTERSTATE REGULATIONS: OTHER THAN BRUCELLOSIS

Following is procedure for reporting apparent violations of the regulations other than brucellosis, Parts 71-77, 79-83, Title 9, Code of Federal Regulations.

Alleged violations of the following regulations in parts 71-77, 79-83, Title 9, CFR, will be reported in much the same manner as outlined in the section reporting alleged violations of the brucellosis regulations, Part 78, Title 9, CFR, using Form ADE 3-59H, which should be changed to meet requirements of the alleged violation it is reporting, and supported by sufficient affidavits and documents to establish the specific violation which is alleged:

General Regulations, Part 71, CFR
Texas Fever in cattle, Part 72, CFR
Scabies in cattle, Part 73, CFR
Scabies in sheep, Part 74, CFR
Dourine in horses, Part 75, CFR
Hog Cholera and other swine diseases, Part 76, CFR
Tuberculosis in cattle, Part 77, CFR
Scrapie, Part 79, CFR
Paratuberculosis in domestic animals, Part 80, CFR
European Fowl Pest, Part 81, CFR
Psittacosis or Ornithosis in poultry, Part 82, CFR
Screwworms in livestock, Part 83, CFR

DISINFECTION OF RAILROAD CARS AND TRUCKS

Reporting arrival and disinfection of infectious railroad cars.

To effect a more uniform handling of infectious railroad cars received at stations where Animal Disease Eradication Division employees are located the procedure outlined below should be followed:

1. As soon as it is ascertained that an infectious car has been received, a placard, (Form ADE 3-62B) should be securely attached to each side of the car. Notice should be given over the telephone to the responsible railroad official

(recording name of person to whom information is given) and confirmed by completing and mailing Form ADE 3-62H.

2. Form ADE 3-62, reporting arrival of infectious car, should be submitted to the Washington Office of the Animal Disease Eradication Division the day the car is received.
3. Where possible, arrangements should be made to supervise the disinfection of all infectious cars received. Form ADE 2-62C should be attached to the car only when disinfection has been personally supervised. Both sides of this form should be filled in, using weather-proof pencil, and a card attached to each side of the railroad car. Form ADE 3-62B should be removed at the time Form ADE 3-62C is attached.
4. Form ADE 3-62A, reporting the disinfection of infectious car, should be submitted to the Washington Office of the Animal Disease Eradication Division the day the supervision of the disinfection is accomplished.
5. Form ADE 3-62D, reporting delinquent infectious cars, should be submitted to the Washington Office of the Animal Disease Eradication Division on the 1st and 16th of each month, giving a list of all infected cars reported on Form ADE 3-62 and not reported on Form ADE 3-62A. No car should be included unless it was received 15 days or more prior to date of rendering Form ADE 3-62D. A separate report should be rendered for each railroad company responsible for cars that are delinquent. No Form ADE 3-62D is required on the 1st and 16th of each month unless there is an infectious car to report.

Sample forms ADE 3-62, ADE 3-62A, ADE 3-62B, ADE 2-62C, ADE 3-62D, ADE 3-62H used in performing this work follow. If you do not have a supply on hand, order them through your Regional Business Office, using Form AS-1.

REPORTING DISINFECTION OF INFECTIOUS TRUCKS

Clean and disinfect infectious trucks in the same manner as railroad cars, but do not report them to the Washington Office on Forms ADE 3-62 or ADE 3-62A (for railroad cars only); instead, prepare a monthly memorandum giving the total number of trucks disinfected under supervision. In the case of public stockyard stations, the usual notation on monthly report forms (ADE 2-12C, ADE 2-24C) will be sufficient.

U. S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH SERVICE
ANIMAL DISEASE ERADICATION BRANCH

REPORT OF INFECTIOUS CARS RECEIVED

Station _____

Date _____, 19____

U. S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH SERVICE
ANIMAL DISEASE ERADICATION DIVISION

REPORT OF DISPOSAL OF INFECTIOUS CARS

STATION _____ DATE _____, 19____

RAILROAD RESPONSIBLE.

The infectious cars listed above were this day disposed of as indicated hereon.

Veterinarian in Charge

SECRETARY OF AGRICULTURE.

BY ORDER OF

THIS CAR

CLEAN, WASH, AND DISINFECT

ANIMAL DISEASE ERADICATION DIVISION

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH SERVICE
ANIMAL DISEASE ERADICATION DIVISION

ADE FORM 3-62B
AUG 1956

ADE FORM 2-62C UNITED STATES DEPARTMENT OF AGRICULTURE
DEC 1964 AGRICULTURAL RESEARCH SERVICE
 ANIMAL DISEASE ERADICATION DIVISION

**THIS CAR WAS
CLEANED, WASHED, AND DISINFECTED
IN MY PRESENCE**

at _____
this _____ day of _____, 19_____
(Sign here)

(Title)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH SERVICE
ANIMAL DISEASE ERADICATION BRANCH

REPORT OF DELINQUENT INFECTIOUS CARS

Inspector in Charge.

NOTE. - 1. This report should be rendered on the 1st and 16th of each month giving a list of all infectious cars reported on ADE-3-62 and not reported on ADE-3-62A as cleaned and disinfected, provided that no car should be included unless it was received 15 days or more prior to date of rendering this report.

2. A separate report should be rendered for each railroad company responsible for cars that are delinquent. In case there are no such cars no report should be rendered.

3. In column headed "Status" any action taken should be noted in full.

U. S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH SERVICE
Animal Disease Eradication Branch

Penalty For Private Use
To Avoid Payment Of
Postage, \$300

OFFICIAL BUSINESS

ADE FORM 3-62H
JUN 1956

SIR: You are hereby notified that the cars listed below arrived at _____ on _____ 19 _____ containing diseased animals. These cars must be cleaned and disinfected in accordance with regulations administered by the U. S. Department of Agriculture.

INITIALS	NUMBERS	INITIALS	NUMBERS	INITIALS	NUMBERS

(Date)

(Veterinarian in Charge)

